

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventors: Lawrence E. Gibson et al. **Examiner:** Geoffrey Mruk
Application No: 10/825,840 **Group Art Unit:** 2853
Filing Date: April 15, 2004 **Confirmation No:** 9449
Title: FLUID EJECTION DEVICE UTILIZING A ONE-PART EPOXY
ADHESIVE

**COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450**

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to Examiner's Office Communication dated August 29, 2006 Applicants respond as follows:

Examiner has identified two distinct inventions:

- I. Claims 1-42 drawn to a fluid ejection device, classified in class 347, subclass 45.
- II. Claims 43-50 drawn to a method of manufacturing a fluid ejection device, classified in class 156, subclass 330.

Applicants affirm that the above two groups identified by the Examiner are patentably distinct. Applicants note that Examiner has not made any statement that this restriction requirement is a complete requirement for restriction in accordance with MPEP §§815 and 817. Applicants traverse this restriction requirement based on the lack of such a statement. If Examiner has not made a complete requirement then Applicants respectfully request that Examiner withdraw this restriction requirement and provide a complete restriction requirement so that Applicants can properly assess Examiner's assertions. Thus, Applicants hereby provisionally elect with traverse Group I covering claims 1-42.

HEWLETT-PACKARD COMPANY
Legal Department, IPA Section, ms: 35
P O BOX 272400
3404 East Harmony Road
Fort Collins, CO 80528-9599

PATENT APPLICATION

Attorney Docket No: 200308693-1
Application No. 10/825,840

In addition, Applicants make this election based on the understanding that Applicants are not prejudiced against filing one or more divisional, continuation, and/or continuation-in-part applications that cover the non-elected claims.

The examiner has required restriction between product and process claims. Where Applicants elect claims drawn to the product, and the product claims are subsequently found allowable, withdrawn method claims that depend from or otherwise include all the limitations of the allowable product claims will be rejoined in accordance with the provisions of MPEP §821.04. Process claims that depend from or otherwise include all the limitations of the patentable product will be entered as a matter of right if the amendment is presented prior to final rejection or allowance, which ever is earlier.

Hewlett-Packard Company
1000 NE Circle Blvd. m/s 422B
Corvallis, OR 97330
(541) 715-1694

Respectfully submitted,
Lawrence E. Gibson et al.

By: /Donald J. Coulman/
Donald J. Coulman
Reg. No. 50,406
Attorney for Applicants

Date: 28 September 2006